

App
said components (18, 20) together to shorten the overall length of said first and second conduit sections (14, 16).

19. (NEW) A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16);

a coil spring (22) interacting between said adjustment components (18, 20) to bias said components together to shorten the overall length of said first and second conduit sections (14, 16); and

a collar (26) supported on one of said adjustment components (18, 20) for reacting axially between said one of said adjustment components and said spring (22).

REMARKS

Applicant has now amended this Application in response to the office action. Claims 1-19 remain in the application including independent claims 1, 18, and 19. New claims 17, 18 and 19 have been added.

Claims 1-16 were rejected as being based upon a defective reissue declaration under 35 U.S.C. 251. A proposed unsigned First Supplemental Reissue Declaration is enclosed along with this response. The inventor is currently unavailable and his signature will be obtained upon approval by the examiner of the proposed declaration.

Claims 1-4 were rejected under 35 U.S.C. 102(b) as being anticipated by Teichert (U.S. Pat. No. 5,339,783). The Teichert patent is directed toward an improved throttle breakover device that limits the force exerted upon an engine throttle lever by a throttle cable or linkage. What the Examiner calls a "conduit section" is actually a fitting 54, 56, 58, which is fixed to the cable 12 for movement therewith, col. 5, lines 60-68. Thus, the core element is not "movably supported in the conduit sections" as required by the claims.

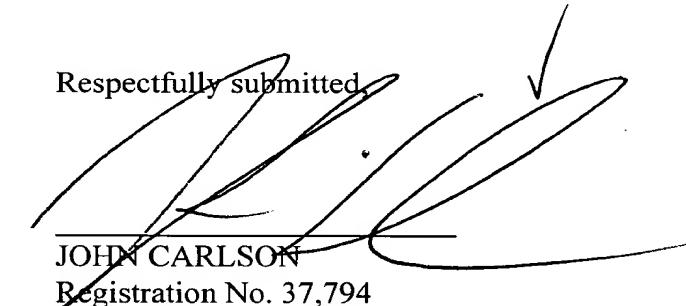
In Teichert, depression of the accelerator pedal pulls the cable 12 and applies a force to a throttle lever 20. As shown in Figure 2A, the coil spring 38 does not

significantly deflect as the throttle lever 20 moves from the idle position to the full throttle position. However, if the pedal is depressed beyond full throttle, as shown in Figure 2B, the coil spring 38 compresses to absorb the breakover movement of the throttle cable 12, col. 7, lines 7-17. Thus, the spring 38 does not interact between the spring guides 40, 42 to bias the guides **together** to shorten the length. In fact, as can be seen in Figures 2A and 2B, the coil spring 38 shown in the Teichert reference biases the guides 40, 42 **away** from one another. As set forth in column 7, lines 41-53, when pressure on the pedal is released the coil spring **expands** and returns to its initial position shown in Figure 2A.

Thus, claim 1 is allowable over the cited prior art and claims 2-4, which depend from claim 1, are also allowable.

For the reasons set forth above, the claims 1-19 define patentably over the prior art, and an early indication of such is earnestly solicited.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 18th day of June, 1999.

Brenda J. Hughes
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